United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
N	WA0000479	10/03/30	I	R	3

Remarks: 4/8/2010 YF

Inspection Work Days	Facility Self-Monitoring Evaluation Rating	BI	QA	Reserved
10				

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*

Van Ingen Dairy
8715 Sunrise Rd
Custer WA 98240

Entry Time/Date: 09:45 AM 03/30/2010
Exit Time/Date: 12:05 PM 03/30/2010
Permit Effective Date: NA
Permit Expiration Date: NA

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)

Gustado Gonzalez - Dairy Foreman
(b) (6) [redacted] YF

Other Facility Data *(e.g., SIC NAICS, and other descriptive information)*

SIC 0241
Dairy Farms
Unpermitted

Name, Address of Responsible Official/Title/Phone and Fax Number

Ben Van Ingen - owner
(b) (6) [redacted]

Contacted: ☒ Yes ☐ No

Section C: Areas Evaluated During Inspection *(Check only those areas evaluated)*

☐ Permit	☐ Self-Monitoring Program	☐ Pretreatment	☐ MS4
☒ **Records/Reports**	☐ Compliance Schedules	☐ Pollution Prevention	
☒ Facility Site Review	☐ Laboratory	☐ Storm Water	
☐ Effluent/Receiving Waters	☒ Operations & Maintenance	☐ Combined Sewer Overflow	
☐ Flow Measurement	☐ Sludge Handling/Disposal	☐ Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes | SEV Description

Report to follow

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APR -2 2010
U.S. EPA REGION 10
OFFICE OF COMPLIANCE AND ENFORCEMENT

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Jon Kenczewski	US EPA (206) 553-5068	04/01/2010
Sandra Brozusky	US EPA (206) 553-5317	04/01/2010
Cara McKinnon	WA Dept of Ag (360) 202 3259	04/01/2010
Signature of Management Q A Reviewer	Agency/Office/Phone and Fax Numbers	Date
		05/13/10

EPA Form 3560-3 (Rev 1-06) Previous editions are obsolete.

PCS WA 0000479

PCS
4-8-2010

INSTRUCTIONS

Section A: National Data System Coding *(i.e., PCS)*

Column 1: Transaction Code: Use N, C, or D for New, Change, or Delete. All inspections will be *new* unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number - third character in permit number indicates permit type for U=unpermitted, G=general permit, etc.. *(Use the Remarks columns to record the State permit number, if necessary.)*

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 04/10/01 = October 01, 2004).

Column 18: Inspection Type*. Use one of the codes listed below to describe the type of inspection:

A Performance Audit
B Compliance Biomonitoring
C Compliance Evaluation (non-sampling)
D Diagnostic
F Pretreatment (Follow-up)
G Pretreatment (Audit)
I Industrial User (IU) Inspection
J Complaints
M Multimedia
N Spill
O Compliance Evaluation (Oversight)
P Pretreatment Compliance Inspection
R Reconnaissance
S Compliance Sampling

U IU Inspection with Pretreatment Audit
X Toxics Inspection
Z Sludge - Biosolids
Combined Sewer Overflow-Sampling
$ Combined Sewer Overflow-Non-Sampling
+ Sanitary Sewer Overflow-Sampling
& Sanitary Sewer Overflow-Non-Sampling
\ CAFO-Sampling
= CAFO-Non-Sampling
2 IU Sampling Inspection
3 IU Non-Sampling Inspection
4 IU Toxics Inspection
5 IU Sampling Inspection with Pretreatment
6 IU Non-Sampling Inspection with Pretreatment
7 IU Toxics with Pretreatment

! Pretreatment Compliance (Oversight)
@ Follow-up (enforcement)
{ Storm Water-Construction-Sampling
} Storm Water-Construction-Non-Sampling
: Storm Water-Non-Construction-Sampling
~ Storm Water-Non-Construction-Non-Sampling
< Storm Water-MS4-Sampling
- Storm Water-MS4-Non-Sampling
> Storm Water-MS4-Audit

Column 19: Inspector Code. Use one of the codes listed below to describe the *lead agency* in the inspection.

A — State (Contractor)
B ---- EPA (Contractor)
E — Corps of Engineers
J — Joint EPA/State Inspectors—EPA Lead
L ---- Local Health Department (State)
N — NEIC Inspectors

O— Other Inspectors, Federal/EPA (Specify in Remarks columns)
P— Other Inspectors, State (Specify in Remarks columns)
R — EPA Regional Inspector
S — State Inspector
T — Joint State/EPA Inspectors—State lead

Column 20: Facility Type. Use one of the codes below to describe the facility.

1 — Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952.
2 — Industrial. Other than municipal, agricultural, and Federal facilities.
3 — Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
4 — Federal. Facilities identified as Federal by the EPA Regional Office.
5 — Oil & Gas. Facilities classified with 1987 SIC 1311 to 1389.

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as followup on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, other updates to the record, SIC/NAICS Codes, Latitude/Longitude).

Section C: Areas Evaluated During Inspection

Check only those areas evaluated by marking the appropriate box. Use Section D and additional sheets as necessary. Support the findings, as necessary, in a brief narrative report. Use the headings given on the report form (e.g., Permit, Records/Reports) when discussing the areas evaluated during the inspection.

Section D: Summary of Findings/Comments

Briefly summarize the inspection findings. This summary should abstract the pertinent inspection findings, not replace the narrative report. Reference a list of attachments, such as completed checklists taken from the NPDES Compliance Inspection Manuals and pretreatment guidance documents, including effluent data when sampling has been done. Use extra sheets as necessary.

*Footnote: In addition to the inspection types listed above under column 18, a state may continue to use the following wet weather and CAFO inspection types until the state is brought into ICIS-NPDES: K: CAFO, V: SSO, Y: CSO, W: Storm Water 9: MS4. States may also use the new wet weather, CAFO and MS4 inspections types shown in column 18 of this form. The EPA regions are required to use the new wet weather, CAFO, and MS4 inspection types for inspections with an inspection date (DTIN) on or after July 1, 2005.

NPDES
Inspection Report

Van Ingen Dairy
Custer, WA

Prepared by:

Jon Klemesrud
Environmental Protection Agency, Region 10
Office of Compliance and Enforcement
Inspection and Enforcement Management Unit

[Unless otherwise noted, all details in this inspection report were obtained from conversations with Gustado Gonzalez, or from observations made during the inspection.]

I. Facility Information

Facility Name:	Van Ingen Dairy
Facility Contact(s):	Ben Van Ingen (Owner) Phone: (b) (6)
	Gustado Gonzalez "Gus" (Dairy Foreman) Phone: (b) (6)
SIC Code Facility Type:	0241 Dairy Farms
Facility Location:	8715 Sunrise Rd Custer, WA 98240
Mailing Address:	8710 Sunrise Rd Custer, WA 98240

II. Inspection Information

Inspection Date:	March 30th, 2010
Inspectors:	Jon Klemesrud, Inspector EPA Region 10, OCE / IEMU (206) 553-5068
	Sandra Brozusky, Inspector EPA Region 10, OCE / IEMU (206) 553-5317
	Cara McKinnon, Inspector Washington Department of Agriculture (360) 202-3257
Arrival Time:	09:45 AM
Departure Time:	12:05 PM
Weather Condition:	Partly Cloudy

Purpose: The inspection was conducted to document the facility's compliance with the Concentrated Animal Feeding Operation (CAFO) Regulations pursuant to the Clean Water Act (CWA).

III. Owner and Operator Information

Van Ingen Dairy is owned by Ben Van Ingen, and operated by Ben and (b) (6) Ben Jr. Van Ingen.

IV. Background and Facility Description

This facility is a designated large sized CAFO dairy operation that has been owned by Ben Van Ingen for 8 years. Van Ingen Dairy has applied for an NPDES permit but at the time of inspection the facility was unpermitted.

This dairy consists of two separate confinement areas; the main dairy facility which consists of the main confinement area and the milk parlor. The facility's other confinement area holds just a small amount of their heifers.

The design of the waste handling system at this facility is such that animal waste is scraped from the confinement pens into below ground storage tanks. These below ground tanks are then pumped as needed to 3 waste storage lagoons. The waste is then pumped from the 3 waste storage lagoons and ultimately land applied to nearby fields. Each lagoon is connected by underground piping and can pump from one lagoon to another.

Mr. Gonzalez stated the he believes the total waste storage to be over 6 months with a total storage of 7.2 million gallons of liquid waste for the 3 lagoons.

The total acreage of the dairy farm is about 472 acres and the facility land applies to all of them according to Mr. Gonzalez. At the time of inspection the numbers of animals on site was about 1100 cows. Milking cows are confined year-round while dry cows and heifers are in pasture from April until July.

The nearest waterway is a ditch which runs from east to west about 200 ft directly south of Lagoon #2. This waterway also runs from the north to southeast about 200 ft from Lagoon #1. The ditch ultimately flows into Dakota Creek and then into the Nooksack River. See attachment A, for a facility maps which show the locations of the nearest waterway.

V. Scope of Inspection

This inspection consisted of an opening conference to conduct initial introductions and to discuss the purpose and expectations of the inspection, a file review, facility tour and a closing conference to discuss compliance related concerns.

VI. Facility Inspection

This was an unannounced NPDES inspection. Sandra Brozusky, Cara McKinnon and I arrived at Van Ingen Dairy at 09:45AM on Tuesday March 30th, 2010.
At this time, Sandra and I identified ourselves as EPA inspectors to Ben Van Ingen. I informed him that the purpose of this visit was to conduct a compliance inspection to determine compliance with the CWA. Mr. Van Ingen stated that he had a prior appointment however his dairy foreman, Gus Gonzalez would be able to answer any questions we may have and give us a tour the facility.

We then introduced ourselves and presented our credentials to Mr. Gonzalez. We explained the purpose of the visit, gave him our business cards and began the inspection with a brief opening conference.

After the opening conference we proceeded to conduct a file review, where we reviewed the animal waste management plan (AWMP) and land application records.

Mr. Gonzalez stated the most recent land application was on March 11th. The application consisted of 13 truck loads of waste. Mr. Gonzalez wasn't sure how many gallons of waste were in each load because application is done by a contractor, Corney Timmerman. This waste was applied by using an injector.

Following the records review we proceeded to conduct a tour of the main dairy farm facility. The facility tour consisted of an inspection of the animal confinement pens and the confinement pen perimeter at the main facility. This inspection also included a tour of the facility waste handling systems.

VII. Areas of Concern

We inspected the facility including the confinement areas and the waste handling system. Observations during the inspection included the identification of one area of concern. This area of concern is described as follows.

Waste levels in storage lagoons.

A. Although I did not see a waste discharge at the time of inspection I observed high levels of waste in each of the three storage lagoons. See Attachment B, Photo #1, #2, #3 and #4. Each lagoon appeared to be full. Lagoon #1 and #2 had 4 inches of freeboard remaining. Lagoon #3 had 1 foot of freeboard remaining. The nearest waterway, a ditch which runs into Dakota creek is about 200ft from Lagoon #1 and Lagoon #2.

VIII. Closing Conference

A closing conference was held with Mr. Gonzalez to discuss our inspection observations. I addressed the area of concern with Mr. Gonzalez and he agreed that the lagoons were too full. During the inspection Mr. Gonzalez called the facility's contractor Corney Timmerman to arrange an application as soon as possible to address the lagoon levels.

Report Completion Date: 05/11/2010

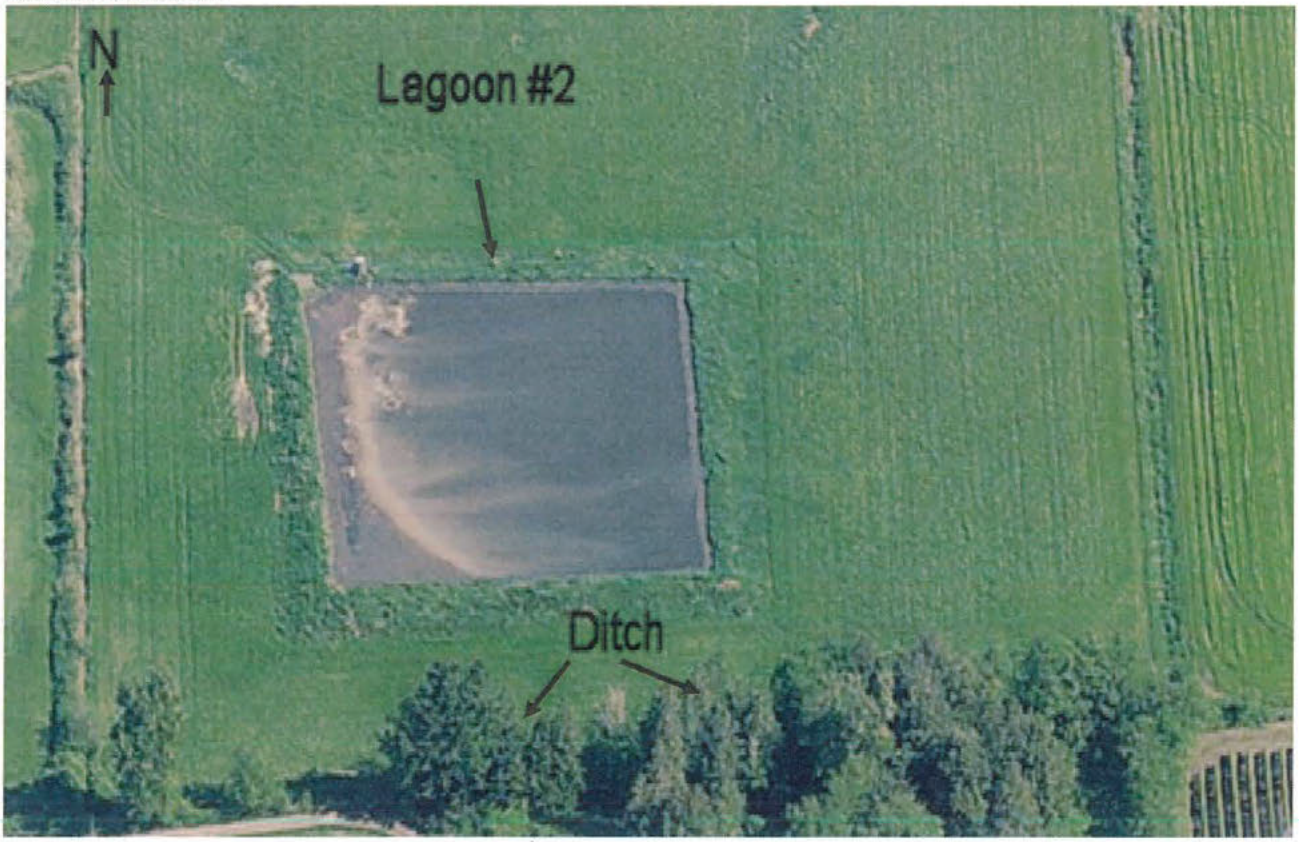
Lead Inspector Signature:

ATTACHMENT A

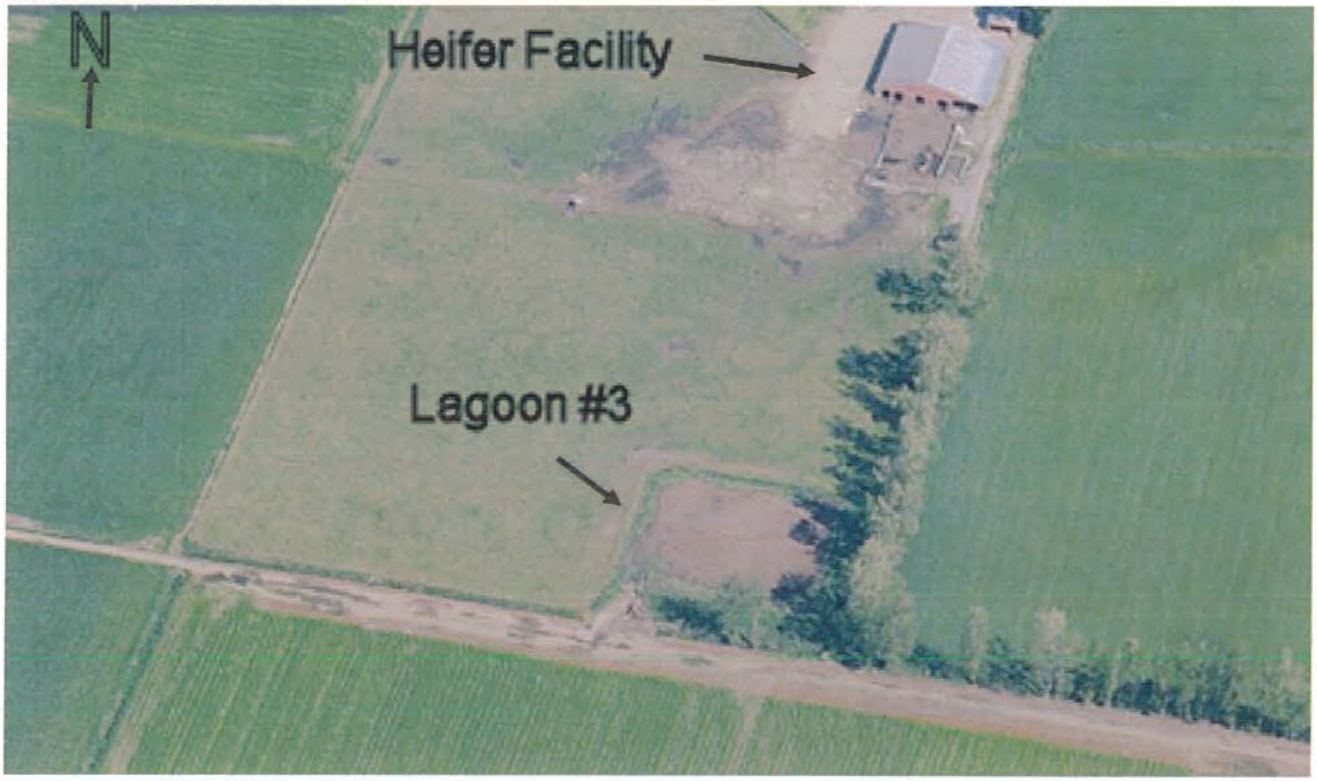
Aerial Map

Aerial Photo #1

Aerial Photo #2



Aerial Photo #3



ATTACHMENT B

Photograph Documentation

All Photographs were taken by Sandra Brozusky on March 30th 2010.

Photo #1: Facing west, photograph of Lagoon #1 at the time of inspection.

Photo #2: Facing northeast, photograph of the Lagoon #2 at the time of inspection.

Photo #3: Facing south, photograph of the Lagoon #2 at the time of inspection.

Photo #4: Facing north, photograph of the Lagoon #3 at the time of inspection.